

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL D. HARRIS,

Petitioner,

Case No. 95-CV-75552

v.

HON. GEORGE CARAM STEEH

GENE BOGERTS, WARDEN,

Respondent.

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ORDER

On December 30, 2011, petitioner filed a motion for DNA testing under the Innocence Protection Act of 2004, 18 U.S.C. §3600. No response was filed. Petitioner seeks DNA testing relating to his April 1, 1983 conviction in Jackson County Circuit Court for first-degree sexual criminal conduct, assault with intent to commit great bodily harm, and breaking and entering. 18 U.S.C. §3600(a) provides procedures for an individual “under a sentence of imprisonment or death pursuant to a conviction for a Federal offense” to move for DNA testing in “the court that entered the judgment of conviction.” Petitioner is serving a sentence for violations of state law and thus the statute does not apply to him. Therefore, petitioner’s motion for DNA testing is DENIED.

IT IS SO ORDERED.

s/George Caram Steeh  
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GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

Dated: February 9, 2012

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys/parties of record on February 9, 2012 by electronic and/or ordinary mail, and upon Michael D. Harris #172430 at Kinross Correctional Facility, 16770 S. Water Tower Drive, Kincheloe, Michigan, 49788.

s/Marcia Beauchemin  
Deputy Clerk